

Commentaries

New Arsenic Standard To Hit Small Water Companies Hard

In "Arsenic and Old Lace," the eccentric Brewster sisters acted in charity by serving elderberry wine mixed with arsenic to lonely old men. After the men died of the concoction, the women's crazy nephew buried the "yellow fever" victims in their basement. While this movie amused audiences, no one is laughing about the new federal arsenic water standard. Small water companies across Arizona will be hit with an estimated \$130 million in compliance costs.

In 2001, the U.S. Environmental Protection Agency (EPA) announced its decision to lower the arsenic content in drinking water to 10 parts per billion from 50 parts per billion by Jan. 23, 2006. Recent studies suggest that continued ingestion of arsenic might lead to some forms of cancer and other health problems. The new standard affects every public water system in the nation.

Meeting the stricter EPA standard will be difficult for Arizona because arsenic is naturally occurring in the soil. Arsenic in groundwater occurs when water seeps through the soil into the water table. For many rural Arizona communities, groundwater is the primary source of drinking water. EPA's ruling affects 287 small water systems, including many private water companies, and their 340,000 customers throughout Arizona.

The Arizona Department of Environmental Quality (ADEQ) is the agency responsible for enforcing the EPA standard. Through its Arsenic Master Plan, ADEQ has simplified compliance requirements and listed the most cost-effective solutions for small water systems.

Depending on the severity of its arsenic problem, a water provider can either blend different water sources to an acceptable level or install treatment systems. By the Jan. 23, 2006 deadline, ADEQ is required by the EPA to impose monetary fines or

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other sanctions, including shutting down any water system that doesn't achieve the standard.

In the meantime, the Arizona Corporation Commission (ACC) is working closely with ADEQ to educate private water companies about the EPA standard

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and the various available treatment options. The ACC and the state Legislature are working together on ways to implement the tougher arsenic standard. Moreover, the commissioners have sent a letter and made calls to Arizona's congressional delegation asking for financial support.

Unfortunately, the new EPA rule requires compliance without providing financial relief to the scores of communities affected in the West. The federal government wants to ensure safe drinking water for all Americans but is unwilling to help the affected communities pay for it. It's an unfunded mandate.

Without financial help from Washington, Arizona may face a rash of water company bankruptcies, forcing their customers to seek alternative sources of water, including drilling wells in arsenic-contaminated groundwater. Or, water may

become unaffordable for many customers in rural Arizona as their companies impose steep rate increases to pay for arsenic treatment. Neither option is appealing.

If a safe water supply is important to you, please call or e-mail your U.S. congressmen and ask for their help.

Jeff Hatch-Miller is a member of the Arizona Corporation Commission. The commission regulates approximately 350 private water companies across the state.